

COUNTY OF SAN DIEGO
STATEMENT OF PROCEEDINGS
REGULAR MEETING OF BOARD OF SUPERVISORS
WEDNESDAY, NOVEMBER 17, 1999

MORNING SESSION:

Meeting was called to order at 9:20 a.m.

Present: Supervisors Pam Slater, Chairwoman; Dianne Jacob, Vice Chairwoman; Greg Cox; Ron Roberts; and Bill Horn; also Thomas J. Pastuszka, Clerk.

AFTERNOON SESSION - Reconvened at 2:15 p.m. Supervisors Slater, Chairwoman; Jacob, Vice Chairwoman, Cox, and Roberts being present, Supervisor Horn being absent.

Public Communication
(No Speakers)

Board of Supervisors' Agenda Items

- *1. Streamlining County Processes and Permits and Status of the Build It Here Now (Bihn) Plan
2. Community Planning and Design Review
3. Sewer Options for the Valley Center Country Town
4. Request to the Board to Approve Formation of a Planning Commission Subcommittee for the Upper San Diego River Improvement Project
5. Report on Forest Conservation Initiative Commercial Rezone Options
6. Amendment to the San Diego County Code of Regulatory Ordinances Relating to the Use of the California State Plane Coordinate System and Boundary Surveys (4 VOTES)
7. Progress Report: General Plan 2020
8. Amendment of the Uniform Sewer Ordinance for the Sanitation Districts and Sewer Maintenance Districts Operated by the County of San Diego (Relates to Sanitation Districts Agenda No. 1)

9. Transit Center Program: Second Amendment to the Agreement with ICF-Kaiser Engineers, Inc. for the Design of the Spring Valley Transit Center
[The funding source is Transportation Development Act (TDA) Project No. KH0071]
10. Authority to Suspend the Pleasure Riding Trail Tax
11. Sunset Review and Establishment of Board of Supervisors Policies Assigned to the Department of Public Works
12. Approval of Secured Agreements for Public and Private Improvements for County of San Diego Tract No. TM 4569-4, Located in the Rancho Santa Fe Area
13. Annual Revenue Agreement with the State of California for Enforcement of the Radiation Control Law
[The funding source is the revenue agreement with the California Department of Health Services Radiologic Health Branch]
14. Set Hearing for 12/15/99, 9:00 a.m.:
Multiple Species Conservation Program – Acquisition Of Parcel 99-0128-A (The Nature Conservancy)
15. Old Alignment of Vista Grande Road Vacation, VAC 99-001, Valle De Oro Community Planning Area
16. Old Alignment of Mission Road Vacation, VAC 98-001, Fallbrook Community Planning Area
17. Presentations/Proclamations

1. **SUBJECT: Streamlining Land Use-Related Processes and Permits and Status of the Build it Here Now (BIHN) Plan**
(Supv. Dist: All)

OVERVIEW:

Since 1992, the County has led the region in successfully streamlining land use-related permit and inspection processes to lessen the burden on homebuilders and businesses. The goal of these efforts has been to streamline processes to obtain better efficiency while maintaining public safety and quality of life.

With the support of citizens groups and the business community, the Departments of Agriculture, Weights and Measures, Environmental Health, Planning and Land Use, Public Works, and the Air Pollution District, accomplished the following: reduced overheads; simplified ordinances, improved processing times; reduced rates and fees; combined permits and inspections; eliminated excessive reporting and approval requirements; enhanced automation of services and began posting permit applications online.

This letter transmits 17 recommendations of the Regional Economic Task Force and its Streamlining Work Group, to further streamline land use-related permit and inspection processes, and improve outreach efforts to customers. As detailed in the letter, some of the recommendations have already been implemented, some are the subject of pilot studies, and some will require further investigation before they are implemented. The benefits to the business community of implementing all these recommendations are estimated to be \$300,000 in annual savings, with annual savings to the County estimated to be \$24,000.

Additionally, this letter reports the progress made on the outline of the Build It Here Now Plan, a blueprint designed to assist the County in fostering economic development, which the Board approved on December 16, 1997 (9).

FISCAL IMPACT:

The majority of the costs relate to recommendations already implemented; they are included in ongoing departmental budgets. Those recommendations requiring further study, or currently in Pilot Programs, will be evaluated and will return with separate cost/benefit analyses and final proposals, when costs are known.

BUSINESS IMPACT STATEMENT:

Streamlining and improving additional land use-related processes and permits will be beneficial to many San Diego businesses by making more processes and permits simpler and less time-consuming, thereby saving costs to business. If all of the recommendations are implemented, it is expected that annual savings to the business community will be \$300,000.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Receive the Regional Economic Task Force Streamlining Work Group (SWG) recommendations listed in this Board letter.
2. Direct the Chief Administrative Officer to pursue the recommendations not already implemented and return to the Board in six months with a report on the status of each recommendation.
3. Accept the status report on the "Build It Here Now Plan" (Attachment 2).
4. Direct the Chief Administrative Officer to continue to share the many streamlining accomplishments of the County with the business community to continue to promote San Diego County's image as a friendly place to do business.
5. Thank the Regional Economic Task Force and the Streamlining Work Group for their extensive efforts to streamline County processes and permits.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Jacob, the Board of Supervisors took action as recommended.

AYES: Cox, Jacob, Slater, Roberts, Horn

2. **SUBJECT: Community Planning and Design Review**
(Supv. Dist: 2)

OVERVIEW:

The Ramona and Alpine Planning Groups have expressed an interest in dealing with design review issues. If design review were a part of the locally elected planning group structure, they believe it is possible that there would be greater assurance that community planning goals are met.

FISCAL IMPACT:

None.

RECOMMENDATION:

SUPERVISOR JACOB:

Direct the Chief Administrative Officer to:

1. Work with the Alpine and Ramona Planning Groups, the Alpine and Ramona Design Review Boards and other stakeholders in addressing the objectives outlined by the Alpine and Ramona Planning Groups;

2. Review Board of Supervisor Policy I-1, Planning Land Use Controls; Administrative Code Section 396.10; and Zoning Ordinance Sections 5750, 5754, 5756, 5757 and 5758 to see how these regulations would apply to the aforementioned objectives;
3. Report back to the Board of Supervisors with recommended actions.

ACTION:

Directing the Chief Administrative Officer to determine a method to forward CEQA issues identified in site plan review to planning groups for their review and recommendations and return to the Board of Supervisors with recommended actions, ON MOTION of Supervisor Jacob, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended.

AYES: Cox, Jacob, Slater, Roberts, Horn

3. **SUBJECT: Sewer Options for the Valley Center Country Town**
(Supv. Dist: 5)

OVERVIEW:

On June 16, 1999 (8), the Board of Supervisors took action to remove the Valley Center Septic Moratorium and allowed the use of alternative, on-site sewage disposal systems for specified areas within the Valley Center Central Basin. The Board of Supervisors also directed the Chief Administrative Officer to work with the community to develop options that address the overall planning issues associated with the provision of sewer service for commercial, industrial, and civic/public uses within the Valley Center Country Town.

The Board of Supervisors also directed the Department of Environmental Health (DEH) to research the suggestions made by the public regarding the use of alternative, on-site wastewater systems other than the mound system in the Country Town. The DEH has responded to the Board's direction by a separate memo.

This report responds to the Board's direction to provide a comprehensive sewer solution for the Country Town with a recommendation to amend Board Policy I-78 to authorize the Planning Commission to waive the siting guidelines for wastewater treatment facilities in the Country Town under specified conditions. The proposed amendment will streamline current County procedures by authorizing the Planning Commission as the original granting authority for waiver requests for community wastewater treatment facilities in the Valley Center Country Town.

FISCAL IMPACT:

There are no fiscal impacts associated with these recommendations.

BUSINESS IMPACT STATEMENT:

Not applicable.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Amend Board of Supervisors Policy I-78 (Small Wastewater Treatment Facilities) to authorize the Planning Commission to waive the siting guidelines for community wastewater treatment facilities within the Valley Center Country Town under specified conditions. (Attachment B)

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended.

AYES: Cox, Jacob, Slater, Roberts, Horn

4. **SUBJECT: Request to the Board to Approve Formation of a Planning Commission Subcommittee for the Upper San Diego River Improvement Project**
(Supv. Dist: 2)

OVERVIEW:

On February 11, 1998 (1), the Board directed the Chief Administrative Officer to cease activity on the RiverWay Specific Plan Amendment and bring forward, for the Board's consideration and action, a Zone Reclassification and General Plan Amendment for the Upper San Diego River Improvement Project (USDRIP) using standard zoning and other regulations that would assist the community in controlling potential impacts to neighborhood aesthetics and community character.

That project is now being considered by the County's Planning Commission. On October 15, 1999, the Commission voted 6-0 to request the Board to appoint a subcommittee of the Commission to work with the property owners, community and staff to find an acceptable resolution of appropriate zoning and land use, including consideration of the San Diego River, for Lakeside and the USDRIP area. Section 375.8 (b) (2) of the County's Administrative Code states that no member of the Commission may receive evidence outside a public hearing unless a task force or committee has been duly appointed by the Board. Consequently, Board action is required before a subcommittee can be formed.

The proposed actions concerning the General Plan, Specific Plan and rezoning in the USDRIP area are not before the Board of Supervisors at this time. The California Government Code mandates certain prerequisite procedures for those actions, which have not been completed. Those prerequisites include the receipt of recommendations from the Planning Commission after it has concluded public hearings, and the noticing and conducting of public hearings by the Board. It is therefore recommended that the Board only consider the issue of the formation of a Planning Commission subcommittee at this time, and not address the General Plan, Specific Plan or rezoning issues.

FISCAL IMPACT:

Not Applicable

BUSINESS IMPACT STATEMENT:

This action, by itself, will have no impact on business.

RECOMMENDATION:

PLANNING COMMISSION:

Appoint a subcommittee of the Planning Commission, made up of Chairman Leon Brooks and Commissioners Bryan Woods and Michael Beck, to work with County staff and the community of Lakeside in finding a solution to the issues surrounding the General Plan Amendment and Zone Reclassification.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Concur.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, directing the Chief Administrative Officer and the Planning Commission subcommittee to complete its assignment within 90 days and to make sure that work is available for Planning Commission review within that 90 day period.

AYES: Cox, Jacob, Roberts, Horn

ABSENT: Slater

5. **SUBJECT: Report on Forest Conservation Initiative Commercial Rezone Options**
(Supv. Dist: 2, 5)

OVERVIEW:

On June 16, 1999 (7), the Board of Supervisors approved R94-006, a Zone Reclassification that rezoned 3,019 Assessor's parcels in order to implement the Forest Conservation Initiative. Five of the parcels subject to that Rezone were zoned C36, General Commercial. Under the Compatibility Matrix of the Regional Land Use Element of the General Plan, C36 is not compatible with the (23) National Forest and State Parks Land Use Designation applied by the Initiative and, therefore, required reclassification. Only two commercial zones, RC Residential-Commercial and C42 Freeway Commercial, are compatible. The Freeway Commercial zone was found to not be appropriate for the subject parcels and, therefore, they were reclassified to RC.

That action made the uses on these parcels nonconforming, although all but one of the uses could become conforming by obtaining a Minor Use Permit. Because of concerns expressed by the affected property owners about the ability to rebuild a nonconforming use by right in the event of a fire or other disaster, the Board directed the Chief Administrative Officer to report back on how the Board could have some discretionary ability in the event of a natural calamity destroying a nonconforming use and to also investigate the issues surrounding this subject and to return with options.

In response to the Board's direction, the Chief Administrative Officer has identified four options. Summarized they are: 1) no change to the current zoning; 2) development of a new rural commercial zone; 3) an amendment to the RC zone to allow nonconforming uses Countywide; and 4) creating a Country Town Regional Category for Palomar Mountain.

FISCAL IMPACT:

Not applicable.

BUSINESS IMPACT STATEMENT:

Four businesses on Palomar Mountain were adversely affected by the Forest Conservation Initiative adopted by the voters in 1993. This report discusses options available to the Board to provide relief to the voter-imposed change.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Note and File.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Roberts, Horn

ABSENT: Slater

5A ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Roberts, the Board of Supervisors took action to reconsider and placed the item on the agenda for discussion.

AYES: Cox, Jacob, Roberts, Horn

ABSENT: Slater

5B ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended on Option No. 1, no change to the current zoning.

AYES: Cox, Jacob, Slater, Roberts

ABSENT: Horn

6. **SUBJECT: Amendment to the San Diego County Code of Regulatory Ordinances Relating to the Use of the California State Plane Coordinate System and Boundary Surveys**
(Supv. Dist: All)

OVERVIEW:

Before an area can be developed, a final map or parcel map must be submitted to the County and approved. In order to make such a map, the developer hires a private surveyor, who makes an accurate survey of the property, tied to existing survey monuments. Since 1989, the County Code of Regulatory Ordinances has required the use of the California Coordinate System as a basis of bearings for all newly recorded final maps and parcel maps. The State Public Resources Code has been amended as it relates to the use of the California Coordinate System, effective January 1, 2000.

This proposal will amend portions of Title 8, Division 1 of the County Code of Regulatory Ordinances to bring it into compliance with the State of California Public Resources Code as it relates to the geographical positioning of final maps and parcel maps.

The proposed change is an increase in the level of accuracy that mathematically establishes the basis for each map's geographic location. The change in State Law requires that any maps based on the California Coordinate System be based on first-order control rather than the current third-order after December 31, 1999. "First-order" and "third-order" are surveying terms that refer to the degree of accuracy; first-order monuments are extremely accurate, so maps tied to those monuments will also be more accurate. The County and the public will benefit from this change in that as more first-order monuments are established, both maps and the San Diego Geographic Information Sources database will be based on more accurate measurements.

The required increase in accuracy could potentially make it more difficult for surveyors using conventional equipment to find existing first-order monuments with which to establish the surveying control needed for maps. A cooperative effort between the Department of Public Works and the private surveying community is currently underway to establish more first-order monuments before the end of December, which will help ensure that first-order control is available for all maps.

An additional change is proposed to the Ordinance to comply with the State of California Business and Professions Code regarding the processing of Boundary Surveys. It is to change the reference of who processes the private surveyor's boundary surveys from the Director of Public Works to the County Surveyor. The County Ordinance currently requires that a record of survey map be filed with the Director of Public Works, and that the Director shall check the map for conformance with State Law. This amendment would bring the County Ordinance into compliance with the State Business and Professions Code by indicating that these maps will be filed with and checked by the County Surveyor.

This is also a request to establish appropriations of \$125,000 in Field Surveys from funds available in the Survey Remonumentation Fund in order to re-establish monuments at a first-order level of accuracy. This represents the maximum amount that this effort could cost.

FISCAL IMPACT:

Funds for this request are available in the Survey Remonumentation Fund. If approved, the establishment of first-order coordinates on existing monumentation will have a temporary Impact on the Survey Remonumentation Fund. It is anticipated that up to 200 historic monuments, such as government section corners and rancho corners, may be coordinated, resulting in a maximum cost of approximately \$125,000 during Fiscal Year 99-00. Assigning the coordination of these monuments to the Remonumentation Fund avoids the need to establish a fee or attempt to identify General Funds to cover these costs. This request will require no additional staff years.

BUSINESS IMPACT STATEMENT:

If approved, the requirement to use first-order coordinates will not impact surveyors who possess Global Positioning System (GPS) survey equipment that can obtain first-order coordinate results. Under current County Ordinance, private surveyors, particularly those using conventional survey equipment, may request assistance from the County to establish control points within a half-mile radius of their client's property if none currently exist. There is no fee associated with these requests, and if the County does not establish control for the surveyor within 30 days, the requirement can be waived under current County Ordinance.

DPW has already been working to densify monumentation in county areas of future development where surveys are expected to occur after December 31, 1999. Through these efforts, it is anticipated that first-order control will be available for surveyors when they need it.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Find in accordance with Section 15061(B)(3) of the State of California Environmental Quality Act Guidelines, that it can be seen with certainty there is no possibility that the adoption of the proposed ordinance may have a significant effect on the environment.
2. Establish additional appropriations in the Survey Remonumentation Fund, org. 5821, account 6310, in the amount of \$125,000 based on available fund balance (FOUR VOTES).
3. Establish additional appropriations in the amount of \$125,000 in Field Surveys, org. 5788, based on an operating transfer from the Survey Remonumentation Fund (FOUR VOTES).

4. Read title and waive further reading of an Ordinance entitled AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO THE CALIFORNIA COORDINATE SYSTEM AND BOUNDARY SURVEYS; and introduce for further consideration and adoption on December 8, 1999. This ordinance shall become operative on January 1, 2000.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent, introducing Ordinance for further Board consideration on December 8, 1999.

AYES: Cox, Jacob, Roberts, Horn

ABSENT: Slater

7. **SUBJECT: Progress Report: General Plan 2020**
(Supv. Dist: All)

OVERVIEW:

This is a progress report on the General Plan 2020 project. The General Plan update will accommodate population growth and plan for infrastructure needs development, and resource preservation in the unincorporated area to the year 2020.

The following activities are currently taking place:

General Plan Goals, Policies, and Standards: Task is 85 percent complete. Draft regional goals and policies, as endorsed by the Board of Supervisors on September 15, 1999 (8), are being used as the basis for land use distribution alternatives. The Steering Committee will also be reviewing the suggested modification to the Goals and Policies referred by the Board, including the comments from interested parties, and planning and sponsor groups. Standards are continuing to be developed by the Steering Committee.

Community Planning and Sponsor Group Outreach:

Steering Committee meetings were held on September 18 and October 16, 1999. Circulation standards were discussed thoroughly in order to determine appropriate planning levels. Park standard discussion will continue to the November meeting.

Steering Committee meeting held on November 6, 1999. Topics on agenda included standards for parks, flood prone areas, steep slopes, sensitive biological habitats, and wetlands. Next General Plan 2020 progress report will include results of this meeting since docket of this progress report preceded meeting.

Land Use Distribution Alternatives: Task is 20 percent complete. Meetings with individual Planning and Sponsor Groups to begin consideration of regional land use distribution alternatives are scheduled to begin in November. The first communities to be reviewed are Lakeside, Pala-Pauma, San Dieguito, Valley Center, North Mountain,

Rainbow, Fallbrook, and Ramona. The initial step in developing the land use distribution alternatives will be to determine the general locations for future growth. The draft land use plans will need to be reviewed against the target populations; the goals and policies; and the constraints and opportunities that exist in the community.

Existing Conditions Inventory Report will be distributed in November.

An update on the organization of the Trails Program will be provided in the next progress report.

FISCAL IMPACT:

There is no fiscal impact associated with this status report.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Note and File.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Roberts, Horn

ABSENT: Slater

8. **SUBJECT: Amendment of the Uniform Sewer Ordinance for the Sanitation Districts and Sewer Maintenance Districts Operated by the County of San Diego**
(Supv. Dist: All)

OVERVIEW:

On May 11, 1999 (3) the Board approved the divestiture of the County of San Diego's commercial/industrial wastewater permitting and monitoring program within the Department of Public Works. As a result of this divestiture, the regulatory and permitting tasks associated with this program were contracted out to the City of San Diego. The City of San Diego has requested that specific provisions be added to the County of San Diego's Uniform Sewer Ordinance to provide them the regulatory enforcement authority they need to fulfill the contract agreement.

Further, in order to eliminate redundancy and improve clarity, the stand-alone document titled "Rules and Regulations for Use of District Sewers" shall be incorporated into the Uniform Sewer Ordinance.

Board action is requested to repeal both the existing Uniform Sewer Ordinance and Rules and Regulations for Use of District Sewers and approve and re-adopt the revised Uniform Sewer Ordinance.

FISCAL IMPACT:

This request will not impact the County General Fund and will require no additional staff years.

BUSINESS IMPACT STATEMENT:

The City of San Diego is contracted to perform the commercial/industrial waste-monitoring program for the Alpine, Lakeside and Spring Valley Sanitation Districts and the Wintergardens Sewer Maintenance District. Because the City's inspection program focuses mainly on businesses whose discharges could impact the City's wastewater treatment plant, the number of overall inspections will decrease by approximately 1,450 from the levels of inspections that were previously conducted by County staff, thus reducing impacts and interruptions to certain businesses.

RECOMMENDATION:**CHIEF ADMINISTRATIVE OFFICER:**

1. Find that these actions are exempt from environmental review under the California Environmental Quality Act (CEQA) Guidelines Section 15061 (b)(3), because it can be seen with certainty that these actions will not have a significant affect on the environment.
2. Acting as the Board of Supervisors, read title and waive further reading of the following ordinances:

AN ORDINANCE REPEALING AND READOPTING THE SAN DIEGO COUNTY UNIFORM SEWER ORDINANCE, PROVIDING FOR THE MANAGEMENT OF DEPENDENT SAN DIEGO COUNTY SANITATION DISTRICTS AND ESTABLISHING PROVISIONS FOR THE USE OF SEWERAGE FACILITIES OF COUNTY SANITATION DISTRICTS AND SEWER MAINTENANCE DISTRICTS;

AN ORDINANCE REPEALING THE ORDINANCE ADOPTING THE "RULES AND REGULATIONS FOR THE USE OF DISTRICT SEWERS," PROVIDING FOR THE MANAGEMENT OF DEPENDENT SAN DIEGO COUNTY SANITATION DISTRICTS AND ESTABLISHING PROVISIONS FOR THE USE OF SEWERAGE FACILITIES OF COUNTY SANITATION DISTRICTS AND SEWER MAINTENANCE DISTRICTS, WITH SUCH REPEAL TO BECOME EFFECTIVE AFTER THE ADOPTION OF SAN DIEGO COUNTY ORDINANCE _____;

AN ORDINANCE OF THE EAST OTAY MESA SEWER MAINTENANCE DISTRICT PROVIDING FOR THE ADOPTION OF SAN DIEGO COUNTY ORDINANCE _____ BY REFERENCE,

AN ORDINANCE OF THE WINTER GARDENS SEWER MAINTENANCE DISTRICT PROVIDING FOR THE ADOPTION OF SAN DIEGO COUNTY ORDINANCE _____ BY REFERENCE, and

And introduce for further consideration and adoption on December 8, 1999.

(Relates to Sanitation Districts, Agenda No. 1)

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent, introducing Ordinances for further Board consideration on December 8, 1999.

AYES: Cox, Jacob, Roberts, Horn

ABSENT: Slater

9. **SUBJECT: Transit Center Program: Second Amendment to the Agreement with ICF-Kaiser Engineers, Inc. for the Design of the Spring Valley Transit Center**
(Supv. Dist: 4)

OVERVIEW:

On September 18, 1990 (19), the Board approved an Agreement with ICF-Kaiser Engineers, Inc (County Contract No. 29446) for the site selection and design of the Spring Valley Transit Center for a fee not to exceed \$206,528. On June 16, 1992 (34), the Board approved locating the transit center on the east side of Sweetwater Road between Jamacha Road and St. George Street, with an alternative site along the southerly side of Jamacha Road east of Elkelton Boulevard. On June 4, 1996 (24) the Board approved an amendment to the Agreement for additional site selection consultant services for fees not to exceed \$21,567. Subsequent analysis showed that none of these sites was feasible for development.

CalTrans is currently constructing SR-125 along Sweetwater Road in this portion of Spring Valley. Department of Public Works staff has identified another possible site for the transit center on CalTrans-owned land that will become excess property once the freeway is completed. On October 12, 1999, the Spring Valley Community Planning Group recommended that staff analyze the feasibility of using the CalTrans-owned land for the Spring Valley Transit Center.

The recommended actions will amend the existing contract to allow ICF-Kaiser to evaluate the additional site, located directly south of the site originally approved by the Board. The amendment will increase the total contract in an amount not to exceed \$141,277.

FISCAL IMPACT:

Funds for this proposal are budgeted. The funding source is Transportation Development Act (TDA) Project No. KH0071. If approved, this request will result in a \$141,277 current year cost, no annual cost, and require the addition of no staff years.

The fee to perform the scope of services for the new candidate site is \$195,040, and an additional \$43,914 in optional work should traffic signalization and other traffic considerations be required. An additional \$19,500 is estimated as sufficient for any unforeseen additional work, for a total of \$258,454 (\$195,040 + \$43,914 + \$19,500). Currently, \$117,177 (\$86,402 base fees plus \$30,775 contingency) in unexpended funds are committed to this Agreement. The recommended action provides for the execution of an amendment to the Agreement for further design services for additional compensation not to exceed \$141,277 (\$258,454 - \$117,177). If this action is approved, total fees paid under this Agreement shall not exceed \$369,372 (\$228,095 in the current Agreement, plus \$141,277 by this action)

RECOMMENDATION:**CHIEF ADMINISTRATIVE OFFICER:**

1. Find that the following actions are categorically exempt under Article 5, Section 15061(b)(3) of the California Environmental Quality Act (CEQA), as these actions can be seen with certainty not to have a significant effect on the environment and are therefore not subject to CEQA.
2. Approve and authorize the Clerk of the Board to execute the Second Amendment to the Agreement with ICF-Kaiser Engineers, Inc. for the Design of the Spring Valley Transit Center for additional compensation not to exceed \$141,277.
3. Designate the Director of the Department of Public Works as the County Officer responsible for administering the contract.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Roberts, Horn

ABSENT: Slater

10. **SUBJECT: Authority to Suspend the Pleasure Riding Trail Tax**
(Supv. Dist: All)

OVERVIEW:

At its meeting on August 6, 1999 the Sunset Advisory Board voted to recommend that the Pleasure Riding Trail Tax (County Code of Regulatory Ordinances, Title 2, Division 4, Chapter1, Section 24.101 through Section 24.118) be eliminated. The item was placed on the Sunset Advisory Board agenda at the request of a Sunset Advisory Board member.

The Board adopted the Pleasure Riding Trail Tax in 1978 as a means of funding the acquisition, construction and maintenance of riding and hiking trails. The tax is imposed annually for horses and other equines used for pleasure riding or trail riding. The amount of tax is \$10.00 per year for each license or \$16.00 for a two-year license. The total amount in the fund is approximately \$15,000 (with \$300 to \$400 likely to be encumbered by a current maintenance project). The amount of tax collected in FY98/99 was \$1,494.00.

The Sunset Advisory Board recommended the elimination of this tax because they felt it is unfair that only equestrians are taxed; various trail user groups have expressed concerns as to the fairness of the Pleasure Riding Trail Tax; and there is no active enforcement of the tax. The elimination of this tax will require either a General Plan Amendment or could be included in the General Plan revision currently underway. Therefore, until such time as the General Plan is changed, it is recommended that authority be established for suspending collection of this tax.

FISCAL IMPACT:

The proposed actions will not have a direct fiscal impact. Based upon past and current expenditures, the existing fund balance is sufficient to cover anticipated costs for several years. The existing fund balance of \$14,980 may justify the suspension of collecting this tax, but the elimination of this tax will require further action by the Board following necessary changes to the County General Plan.

The annual expenditures against this trail tax have been only \$300 to \$600 per year, which has allowed the fund balance to build. The existing balance of the fund will allow interim efforts to continue while long-term funding is established. The overall question of funding for acquisition, maintenance, and operation of a comprehensive trails program is being developed as part of the proposed Strategic Plan for Regional Trails which will be presented to the Board in early 2000.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Read the title and waive further reading of an Ordinance entitled AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES, RELATING TO THE PLEASURE RIDING TRAIL TAX which gives authority to suspend collection of this tax; and introduce for further for further consideration and adoption on December 8, 1999.
2. Direct the Chief Administrative Officer to include elimination of this tax as part of the County's current efforts to revise the General Plan.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent, introducing Ordinance for further Board consideration on December 8, 1999.

AYES: Cox, Jacob, Roberts, Horn

ABSENT: Slater

11. **SUBJECT: Sunset Review and Establishment of Board of Supervisors Policies Assigned to the Department of Public Works**
(Supv. Dist: All)

OVERVIEW:

On December 8, 1998 (53), the Board of Supervisors approved the current Sunset Review Process, which is based on a seven year review cycle of the Administrative Code, Board of Supervisors Policies and the San Diego County Code of Regulatory Ordinances. Department heads are responsible for ensuring that those ordinances, policies and resolutions relevant to their respective department are kept current. Sunset Review items are presented to the Board in increments for approval.

This is a request to approve the re-establishment and amendment of four Board of Supervisors Policies and to approve amendments and new Sunset review dates for two Board of Supervisors Policies that are assigned to the Department of Public Works.

FISCAL IMPACT:

There is no fiscal impact as a result of this action.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Find in accordance with Section 15061(b)(3) of California Environmental Quality Act (CEQA) Guidelines that, as a continuing administrative activity, this action is not a project as defined in Section 15378 (3)(b)(2) and is therefore not subject to CEQA.
2. Re-establish and approve amendments for the following Board of Supervisors Policies (Attachment A).
 - F-14, Assessment Act Proceedings for Public Improvements
 - I-24, Establishment of Assessment Districts to Provide for Public Improvements and Facilities for Flood Control and Drainage
 - I-25, Establishment of Assessment Districts to Provide for Public Improvements and Facilities for Sanitary Sewers
 - J-16, Establishment of Assessment District to Provide for Public Improvements for Local and Circulation Element General Plan Roads

3. Approve amendments and new Sunset review dates for the following Board of Supervisors Policies (Attachment B).

I-112, Request to Form or Annex to a Special District for New Developments
J-17, Undergrounding of Existing Overhead Utility Facilities

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Roberts, Horn

ABSENT: Slater

12. **SUBJECT: Approval of Secured Agreements for Public and Private Improvements for County of San Diego Tract No. TM 4569-4, Located in the Rancho Santa Fe Area**
(Supv. Dist: 3)

OVERVIEW:

HCC Investors LLC are developing a major subdivision consisting of 61 single-family residential lots, one private street lot and a total acreage of 21.29 acres. The development is in Rancho Santa Fe on the northerly end of Seven Bridges Road (Thomas Guide 2000 Edition, Page 1148 F-5).

On March 10, 1993 (5) the Board approved the Final Map and Secured Agreements for public and private improvements for this development. Since then, the original design of the project has been changed through the Map Modification process. The subdivider is providing a new agreement and security to ensure that required improvements are constructed. This is a request to approve a new joint agreement that includes a substitution of parties, an extension of time and an increase in the security provided.

FISCAL IMPACT:

This request will have no fiscal impact.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Approve and authorize the Clerk of the Board of Supervisors to execute the Joint Agreement to Improve Major Subdivision (Substitution of Parties, Extension of Time and Increase in Security), which includes the street improvements and drainage facilities, sewer facilities, water facilities, and setting of final monuments.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Roberts, Horn

ABSENT: Slater

13. **SUBJECT: Annual Revenue Agreement with the State of California for Enforcement of the Radiation Control Law**
(Supv. Dist: All)

OVERVIEW:

The County of San Diego Department of Environmental Health requests approval of the annual one-year revenue agreement with the California Department of Health Services in the amount of \$495,379 for FY99-00, to enforce the Radiation Control Law in San Diego County. This program, in effect since April 1, 1986, ensures that radioactive and x-ray machines are used in compliance with license conditions and/or applicable regulations; thus protecting the general public by preventing unnecessary technician and patient exposure to ionizing radiation. The workload and number of inspections that the State requires for this fiscal year have increased; therefore, the Department of Environmental Health, with full support of the State, is requesting three position reclassifications and one additional position. These personnel actions will mirror comparable positions held by State officials accomplishing the same workload. This is a full-cost recovery agreement. All expenses will be reimbursed by the State.

FISCAL IMPACT:

Funds for this request were budgeted for FY99-00 at \$461,133, which included funding for Services and Supplies purchases that will not be made this fiscal year. \$22,180 in Services and Supplies savings are being transferred to Salaries and Benefits to cover the cost of the three reclassifications and the additional position for the period of March 1, 2000 through June 30, 2000. The funding for these positions for an entire fiscal year will be negotiated into the contract for FY00-01. The funding source is the revenue agreement with the California Department of Health Services Radiologic Health Branch. If approved, this request will result in \$495,379 in revenue and \$461,133 in direct costs and will require the addition of 1 staff year. All expenses will be reimbursed by the State, including internal and external overheads; therefore, there will be a \$34,246 positive effect on the General Fund due to overrealized revenue if the entire contract amount of \$495,379 is realized

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Find, in accordance with Section 15308 of the California Environmental Quality Act (CEQA) Guidelines, that this action is exempt from CEQA because it is an action taken by a regulatory agency to assure the protection of the environment.

2. Approve and authorize the Clerk of the Board of Supervisors to execute the annual revenue agreement with the California Department of Health Services, Radiologic Health Branch, to enforce the Radiation Control Law in San Diego County, in an amount not to exceed \$495,379, for the period July 1, 1999 through June 30, 2000.
3. Authorize the Director of Environmental Health to execute any amendments, extensions, and/or revisions thereof that do not materially impact or alter either the program or funding level.
4. Transfer \$22,180 in appropriations within the Department of Environmental Health from Services and Supplies to Salaries and Benefits to fund a new position and reclassifications in the Radiation Control program.
5. Request the Director of Human Resources to study an Intermediate Clerk Typist position and two Radiation Management Specialist I positions to determine the appropriate classifications, to classify one new position and amend the Compensation Ordinance.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Roberts, Horn
ABSENT: Slater

14. **SUBJECT: Set Hearing for 12/15/99, 9:00 a.m.**
Multiple Species Conservation Program – Acquisition Of Parcel 99-0128-A (The Nature Conservancy)
(Supv. Dist: 3)

OVERVIEW:

In support of the Multiple Species Conservation Program (MSCP), the State of California and the federal government have committed to acquire or fund the acquisition of habitat lands within the Multiple Species Conservation Program Preserve. To that end, the California Wildlife Conservation Board, the Department of Fish and Game and the Nature Conservancy have worked with the County Department of Parks and Recreation to identify potential sites within the limits of the County of San Diego.

The current proposal is for the purchase of an additional 95.43 acres in Lusardi Creek. This property, known as Santa Fe Views and located within the Lake Hodges segment of the County of San Diego Sub-Area Plan, is adjacent to a 97.19-acre parcel purchased by the County in September 1999. The acquisition is part of an ongoing program to assemble important preserve habitat and provide connectivity to other Multiple Species Conservation Program lands.

The Board is requested to set a hearing for December 15, 1999 to consider the purchase of this parcel from The Nature Conservancy. The Nature Conservancy has agreed to sell the property to the County for the appraised value of \$1,976,000.

FISCAL IMPACT:

There is no fiscal impact associated with this request. Should the Board approve the purchase on December 15, 1999, the California Wildlife Conservation Board would fund 50% of the \$1,976,000 purchase price. The remaining 50% (\$988,000) will be provided by the County utilizing existing funds that are budgeted in Capital Project KA9500 for the Multiple Species Conservation Program acquisitions.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Direct the Clerk of the Board of Supervisors to publish the required Notice of Intention to Purchase in accordance with Government Code Sections 25350 and 6063.
2. Set this matter for December 15, 1999 at which time the Board of Supervisors may consummate the purchase of Parcel No. 99-0128-A (The Nature Conservancy).

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent, setting Hearing for December 15, 1999, 9:00 a.m.

AYES: Cox, Jacob, Roberts, Horn

ABSENT: Slater

15. **SUBJECT: Old Alignment of Vista Grande Road Vacation, VAC 99-001, Valle De Oro Community Planning Area**
(Supv. Dist: 2)

OVERVIEW:

This is a request to adopt the Resolution of Summary Vacation to vacate a portion of Vista Grande Road in the community of Valle de Oro. This vacation involves two segments totaling approximately one-quarter mile in length. The two segments are part of a portion of Vista Grande Road that was realigned as a condition of approval for Tentative Map 4669 (TM 4669). The two segments are located on the east side of the current Vista Grande Road right-of-way at the terminus of Hidden Mesa Road and approximately 1,000 feet north of that terminus.

FISCAL IMPACT:

Not Applicable.

BUSINESS IMPACT STATEMENT:

Not Applicable.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Find that Environmental Impact Report (EIR) on file with the Department of Planning and Land Use as log # 87-14-53 has been completed in compliance with CEQA and State and County CEQA Guidelines , that the decision making body has reviewed and considered the information contained therein prior to approving the project, that the EIR reflects the independent judgement and analysis of the Planning and Environmental Review Board (PERB) and:

Find that there are no changes in the project or in the circumstances under which it is under taken which involve significant new impacts which were not considered in the previously certified EIR or substantially increase the severity of previously identified significant effects and that no new information of substantial importance has become available since that EIR was prepared.

2. Adopt the attached RESOLUTION OF SUMMARY VACATION (Attachment A).
3. Direct the Clerk of the Board of Supervisors to record this Resolution pursuant to Streets and Highways Code Section 8325.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent, adopting Resolution 99-338, entitled: RESOLUTION OF SUMMARY VACATION STREET, HIGHWAY, OR PUBLIC SERVICE EASEMENT OR TERMINATION OF IRREVOCABLE OFFER OF DEDICATION.

AYES: Cox, Jacob, Roberts, Horn

ABSENT: Slater

16. **SUBJECT: Old Alignment of Mission Road Vacation, VAC 98-001, Fallbrook Community Planning Area**
(Supv. Dist: 5)

OVERVIEW:

This is a request to adopt the Resolution of Summary Vacation to vacate a portion of Mission Road in the community of Fallbrook that is no longer needed for public use. This vacation involves approximately 2,000 linear feet of easement and is located east of the existing alignment of Mission Road in the vicinity where Mission Road is adjacent to the Fallbrook Community Airpark.

FISCAL IMPACT:

Not Applicable.

BUSINESS IMPACT STATEMENT:

Not Applicable.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Find that the project as proposed is exempt from the California Environmental Quality Act as specified under to Section 15305 of the California Environmental Quality Act Guidelines.
2. Adopt the attached RESOLUTION OF SUMMARY VACATION.
3. Direct the Clerk of the Board of Supervisors to record this Resolution pursuant to Streets and Highways Code Section 8325.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 99-339, entitled: RESOLUTION OF SUMMARY VACATION OF STREET, HIGHWAY, OR PUBLIC SERVICE EASEMENT OR TERMINATION OF IRREVOCABLE OFFER OF DEDICATION.

AYES: Cox, Jacob, Roberts, Horn

ABSENT: Slater

17. SUBJECT: Presentations/Proclamations

Vice Chairwoman Jacob presents the pets of the week; a 2-month old female Rotte mix, and a female husky/chow mix.

There being no further business, the Board adjourned at 2:37 p.m. in memory of Joseph Hertel and Gavin Stearns.

THOMAS J. PASTUSZKA

Clerk of the Board of Supervisors
County of San Diego, State of California

Notes by: Egan

NOTE: This Statement of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

